



Order Filed on April 26, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATE BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

LAW OFFICES OF PETER E. ZIMNIS
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Attorney for Debtor(s)

In Re:

GEORGE FRATER
GLORIA FRATER
Debtors

Case No.: 13-36259
Chapter 13
Judge: Michael B. Kaplan

ORDER CANCELLING/DISCHARGING THE UNDER
SECURED MORTGAGE OF WALNUT INVESTMENT SERVICES

The relief set forth on the following pages, numbered ___ through ___ is hereby
ORDERED

DATED: April 26, 2019

A handwritten signature of Michael B. Kaplan in black ink, written over a horizontal line.
Honorable Michael B. Kaplan
United States Bankruptcy Judge

Debtor: George Frater and Gloria Frater
Case No. 13-36259/MBK
Caption of Order: Order Cancelling/discharging the Under Secured Mortgage of Walnut Investment Services

At Trenton in the said District

This matter being opened to the Court by Peter E. Zimnis, attorney for the debtor(s), George Frater and Gloria Frater, Peter E. Zimnis, Esq. appearing and the Court having considered the pleadings and proofs submitted, and argument of counsel if any;

It further appearing that proper service has been completed on all those creditors against whom this motion is directed, and

It further appearing that upon the return date of said motion, this Court has considered the documentation heretofore filed for and on behalf of the debtors and for and on behalf of other parties in interest and also has considered the arguments of counsel appearing in open court, and

Good and sufficient cause appearing of the entry of this Order,

It is ORDERED AND ADJUDGED as follows, to wit:

1. The Value of the interest of Walnut Investments Services in the real estate is \$57,000.00 which was already paid through the Chapter 13 plan.
2. The allowed secured claim of Walnut Investments Services is \$57,000.00 pursuant to 11 U.S.C. § 506(a) and 11 U.S.C. § 1322(b) (2) with the claim allowed as an unsecured claim only. The total amount of this claim shall be treated and paid in the same manner as other unsecured claims. Upon completion of plan and discharge of debtor the provisions of paragraphs 3-6 shall take effect.
3. This Order shall be filed with the Clerk of the Mercer County Clerk's office who shall cancel and/or discharge the mortgage in the land records of this state located in the Books and Records of the Mercer County Recorder's Office. This mortgage was recorded in the Mercer County Clerk's Office in Book Number 9969 and page number 0895.
4. The mortgage held by Walnut Investments Services shall be deemed canceled, discharged and of no effect.
5. That in the event Walnut Investments Services or its assignee fails to take all necessary steps to release, cancel, and/or discharge the mortgage given to it by the debtors, then this obligation, given by the debtor(s) to Walnut Investments Services or its assignor shall be deemed paid and satisfied through the debtor's Chapter 13 proceeding.
6. The county recording office is hereby ordered to cancel this mortgage of record upon payment of the applicable cancellation/discharge fee by the debtor/mortgager.